

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6375**

**BILL NUMBER:** SB 129

**NOTE PREPARED:** Dec 7, 2010

**BILL AMENDED:**

**SUBJECT:** Parole Eligibility for Certain Crimes.

**FIRST AUTHOR:** Sen. Randolph

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that a person is eligible for consideration for release on parole if, before the criminal code was enacted in 1976, the person: (1) was sentenced to more than one term of life imprisonment without parole upon conviction of more than one felony; and (2) committed kidnapping for at least one of the person's felony convictions.

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:** LSA identified 11 offenders who could be eligible for a parole hearing due to this bill. The Department of Correction (DOC) could reduce expenditures if these offenders are released on parole. Being eligible for a parole hearing does not guarantee that these offenders will be released on parole.

**Background** – This section of statute applies to offenders who have been sentenced prior to 1977 and are confined indefinitely. Currently, these offenders would not be eligible for parole. If the exception is made for offenders, then the Parole Board would review their records. The Parole Board would determine whether the inmate has been rehabilitated and has suitable plans that would warrant discharge from custody.

Prior to a hearing, the Parole Board would order an investigation of the offender and collect the following information (IC 11-13-3-3(b)):

(1) reports regarding the person's medical, psychological, educational, vocational, employment, economic, and social condition and history;

- (2) official reports of the person's history of criminality;
- (3) reports of earlier parole or probation experiences;
- (4) reports concerning the person's present commitment that are relevant to the parole release determination;
- (5) any relevant information submitted by or on behalf of the person being considered; and
- (6) such other relevant information concerning the person as may be reasonably available.

*Estimated Savings* – Since this bill would affect a limited number of offenders, LSA used an annual cost of \$12,775 per offender to represent any potential savings. Because DOC adult facilities are generally at full capacity, a percentage of offenders are confined in county jails for part or all of their terms of incarceration. DOC pays county sheriffs \$35 per day (annual cost of confinement would be \$12,775) for each offender who is sentenced for a felony. If fewer long-term offenders are in DOC facilities, DOC may be able to transfer more offenders to DOC facilities.

LSA identified 11 offenders who could be eligible for parole, effective July 1, 2011. DOC could save as much as \$140,000 if all 11 are released.

Number of Offenders		Annual Cost of Confinement in County Jail		Estimated Avoided Cost for DOC
11	x	\$12,775	=	\$140,525

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*.

**Explanation of Local Revenues:** See *Explanation of State Expenditures*.

**State Agencies Affected:** DOC.

**Local Agencies Affected:**

**Information Sources:** DOC Offender Information System.

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